

Entered 02-26-03 - sb
CL 03L0142 - GWENDOLYN BURNS

03-*B*-0522

CLAIM OF: YOLANDA BAKER
561 Commercial Avenue
Atlanta, Georgia 30318

For vehicular damages alleged to have been
sustained from an automobile accident on October 22,
2002 at Yates Drive, NW & Walden Street, NW.

THIS ADVERSED REPORT IS
APPROVED

BY: _____

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSED BY
Council 4/21/03

ADVERSE REPORT

COMM: Public Safety

DATE: 4/1/03

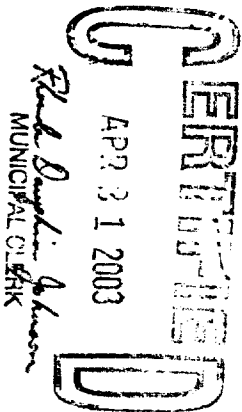
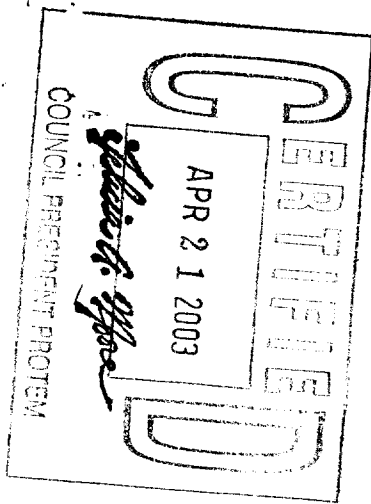
CHAIR: _____

Theresa Brown

C. T. Martin

Clara Henderson

A. L. Wilf





**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

April 29, 2003

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6273

Yolanda Baker
561 Commercial Ave.
Atlanta, GA 30318

03-R-0522

Dear Ms. Baker:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on January 21, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0142

Date: March 19, 2003

Claimant /Victim YOLANDA BAKER
BY: (Atty) (Ins. Co.) _____
Address: 561 Commercial Avenue, Atlanta, Georgia 30318
Subrogation: _____ Claim for Property damage \$ 2,884.00 Bodily Injury \$ _____
Date of Notice: 2/19/03 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/22/02 Place: Yates Drive, NW & Walden Street, NW
Department _____ Division _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when it was struck by a stolen vehicle that was being pursued by Atlanta Police. However, the City is not responsible for third party actions. Claimant has been advised to pursue her claim with the insurance carrier of the owner of the stolen vehicle.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

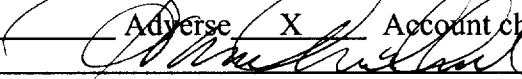
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____ Claims
Manager:  Concur/date 03-28-03
Committee Action: _____ Council Action _____

RCS# 4616
4/21/03
2:23 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-19; Except 03-O-0441; 03-O-0391

Adopt

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

CONSENT I

4/21/03 FULL COUNCIL MEETING

Items Adopted on the Consent Agenda**Items Adversed on
the Consent Agenda**

1. 03-O-0186	36. 03-R-0451	72. 03-R-0498	
2. 03-O-0350	37. 03-R-0571	73. 03-R-0499	81. 03-R-0507
3. 03-O-0401	38. 03-R-0549	74. 03-R-0500	82. 03-R-0508
4. 03-O-0442	39. 03-R-0555	75. 03-R-0501	83. 03-R-0509
5. 03-O-0438	40. 03-R-0556	76. 03-R-0502	84. 03-R-0510
6. 03-O-0445	41. 03-R-0558	77. 03-R-0503	85. 03-R-0511
7. 03-O-0446	42. 03-R-0559	78. 03-R-0504	86. 03-R-0512
8. 03-O-0443	43. 03-R-0560	79. 03-R-0505	87. 03-R-0513
9. 03-O-0450	44. 03-R-0561	80. 03-R-0506	88. 03-R-0514
10. 03-O-0485	45. 03-R-0562		89. 03-R-0515
11. 03-O-0399	46. 03-R-0563		90. 03-R-0516
12. 03-O-0369	47. 03-R-0564		91. 03-R-0517
13. 03-O-0416	48. 03-R-0572		92. 03-R-0518
14. 03-O-0193	49. 03-R-0588		93. 03-R-0519
15. 03-O-0355	50. 03-R-0589		94. 03-R-0520
16. 03-O-0359	51. 03-R-0590		95. 03-R-0521
17. 03-O-0360	52. 03-R-0448		96. 03-R-0522
18. 03-O-0436	53. 03-R-0454		97. 03-R-0523
19. 02-O-1543	54. 03-R-0528		98. 03-R-0524
20. 03-O-0432	55. 03-R-0529		99. 03-R-0525
21. 03-O-0433	56. 03-R-0569		100. 03-R-0526
22. 03-O-0434	57. 03-R-0570		101. 03-R-0527
23. 03-R-0444	58. 03-R-0591		
24. 03-R-0530	59. 03-R-0592		
25. 03-R-0531	60. 03-R-0217		
26. 03-R-0532	61. 03-R-0539		
27. 03-R-0533	62. 03-R-0541		
28. 03-R-0534	63. 03-R-0542		
29. 03-R-0535	64. 03-R-0566		
30. 03-R-0536	65. 03-R-0593		
31. 03-R-0537	66. 03-R-0544		
32. 03-R-0538	67. 03-R-0545		
33. 03-R-0546	68. 03-R-0565		
34. 03-R-0577	69. 03-R-0496		
35. 03-R-0390	70. 03-R-0497		

Consent I Vote: 15 Yeas; 0 Nays: (See RCS #4616)

Items Removed from the Consent Agenda: 03-O-0441 & 03-O-0391